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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,354	01/30/2001	Paul J. Rank	0007056-0070/P5375NP/ARG	2393

7590

06/16/2004

J.D. Harriman II
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23rd Floor
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Los Angeles, CA 90071

EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/774,354

Applicant(s)

RANK ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06/24/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: original application filed 01/30/2001.
2. Claims 1-18 are currently pending in this application. Claims 1 and 10 are independent claims.

Specification

3. The abstract of the disclosure is objected to because it exceeds the limit of 150 words. Correction is required. See MPEP § 608.01(b).

Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by **Wright et al.** (U.S. 5,055,998 – issued 10/1991).

As to independent claim 1, Wright teaches a method for evaluating a spreadsheet file (*abstract*) comprising:

- obtaining said spreadsheet file in a first format (*e.g., the spreadsheet in the source structure; col.1, lines 23-24/a spreadsheet structure from a source form; col.36, lines 5-12*) on a first device (*e.g., one spreadsheet processing system; col.1, lines 12-16*);
- converting the spreadsheet file to a second format (*e.g., the spreadsheet must be translated from the structure 'source structure' required by the first spreadsheet program to the*

*structure 'the target structure' required by the second spreadsheet program; col.1, lines 23-27/
translate a spreadsheet produced by one spreadsheet program into a spreadsheet produced by
another spreadsheet program; col.20, lines 42-44/ converting the representation of a
spreadsheet structure from a source form into a destination form; col.36, lines 5-8 and Figs.1-
2); and*

*- transferring the spreadsheet file to a second device (transfer a spreadsheet from one
spreadsheet processing system to another; col.1, lines 12-16).*

As to dependent claim 2, Wright teaches the first device is a computer (*e.g., one
spreadsheet processing system; col.1, lines 12-16*).

As to dependent claim 3, Wright teaches the second device is a small device (*e.g.,
another processing system; col.1, lines 12-16*).

As to independent claim 10, is directed to a computer program product for performing
the method of claim 1, and is similarly rejected under the same rationale.

As to dependent claims 11-12, they include the same limitations as in claims 2-3, and
are similarly rejected under the same rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-9 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Wright et al.** in view of **Pajakowski et al** (U.S. 6,718,425 – field 05/2000).

As to dependent claim 4, Wright does not explicitly teach a PDA.

Pajakowski teaches a PDA (*e.g., the handheld computer; Figs. 1-2 and claim 57*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the feature of Pajakowsk in the system of Wright because Pajakowsk's teaching would have provided the capability for increasing the flexibility in Wright's system.

As to dependent claim 5, Wright does not explicitly teach "the converting is performed by a conduit."

Pajakowski teaches the converting is performed by a conduit (*conduit software ... to convert; col.46, lines 55-64*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the feature of Pajakowsk in the system of Wright because Pajakowsk's teaching would have provided the capability for translating and moving data from one computer to another computer.

As to dependent claim 6, Wright teaches gathering one or more formulas (*col.34, lines 50-65*). Note the discussion of claim 5 above for the conduit.

As to dependent claim 7, Wright teaches evaluating the formulas (*col.33, lines 50-60*), note the discussion of claim 5 above for the conduit.

As to dependent claim 8, Wright teaches compiling code that is readable by the small device (*Fig.5 and associated text*).

As to dependent claim 9, Wright teaches parsing the formulas (*col.34, lines 50-65*).

As to dependent claims 13-18, they include the same limitations as in claims 4-9, and are similarly rejected under the same rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Glassey U.S Patent No. 5,604,854 issued: Feb. 18, 1997

Brinkley et al. U.S Patent No. 5,963,919 issued: Oct. 5, 1999

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092.

The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (703) 305-9792.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maikhanh Nguyen
June 10, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER